

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3081

IN THE MATTER OF:

Served October 15, 1987

Application of JOSEPH C. SMITH)
trading as SMITH'S CHARTER BUS)
SERVICE for Special Authorization)
to Conduct Charter Operations)
Pursuant to Contract with USDA)
Forest Service)

Case No. CP-87-09

By application filed September 18, 1987, Joseph C. Smith trading as Smith's Charter Bus Service, a sole proprietorship, seeks authority pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 to transport employees of the USDA Forest Service ("Forest Service"), together with mail, express and baggage in the same vehicle as passengers, in charter operations under contract with the Forest Service. The contract requires a regularly-scheduled shuttle service between Forest Service's office in Arlington (Rosslyn Plaza Building, Wilson Boulevard and North Kent Street, Arlington, Va.) and the Forest Service's office in the District of Columbia (South Agriculture Building, 4th Wing, 12th Street and Independence Avenue, S.W., Washington, D.C.) and between points in the Metropolitan District on an as-needed basis.

Order No. 3076 served September 30, 1987, generally described the evidence submitted with the application, and that order is incorporated by reference herein. The Commission required publication of notice and the filing of an affidavit of publication. Applicant complied with these requirements, and no protest to the application was received by the Commission within the time set therefor.

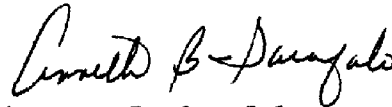
Commission Regulation No. 70 provides that an application of this type will be granted if it is determined that the applicant is fit, willing, and able properly to perform the proposed service and to conform to the provisions of the Compact and the rules, regulations, and orders of the Commission thereunder, and if it is determined that the proposed operations conform to the provisions of Regulation No. 70. The issue of whether the public convenience and necessity require such service has been determined in Case No. MP-79-04. See Order No. 2004, served June 20, 1979.

Inasmuch as the contract is for a fixed term of at least 181 days and provides for the transportation of government employees pursuant to a contract with their employer, the Commission finds that this application conforms to the requirements of Commission Regulation No. 70. It is further found, based on the evidence of record as described in Order No. 3076, that applicant is fit, willing, and able properly to provide the service described above and to conform to the requirements of the Compact and the rules, regulations and orders of the Commission thereunder.

Joseph C. Smith trading as Smith's Charter Bus Service is assigned WMATC Authorization No. 134, is directed to identify his vehicles in accordance with Commission Regulation No. 70-10, and is further directed to file an affidavit of compliance with that regulation within ten days from the date of service of this order. Within the ten-day time period, applicant must also file a certificate of insurance in accordance with Commission Regulation No. 62 and two copies of the title page for its WMATC Tariff No. 1 in accordance with Commission Regulation No. 55-04. Copies of the contract with Forest Service are already on file. Upon the filing of the affidavit of compliance, certificate of insurance, and tariff title pages, an appropriate authorization will be issued.

IT IS SO ORDERED.

FOR THE COMMISSION:

A handwritten signature in dark ink, appearing to read "Annette B. Garofalo", written in a cursive style.

Annette B. Garofalo
Acting Executive Director